

Senate File 454

S-3080

1 Amend Senate File 454 as follows:

2 1. Page 1, line 11, by striking <subsection 2> and
3 inserting <subsection 1>

4 2. Page 1, by striking lines 13 through 25 and
5 inserting:

6 <1. a. The board of directors of a school district
7 or area education agency, the superintendent of a
8 school district or the chief administrator of an
9 area education agency, and the authorities in charge
10 of a nonpublic school shall report to the board the
11 nonrenewal or termination, for reasons of alleged or
12 actual misconduct, of a person's contract executed
13 under sections 279.12, 279.13, 279.15 through 279.21,
14 279.23, and 279.24, and the resignation of a person
15 who holds a license, certificate, or authorization
16 issued by the board as a result of or following an
17 incident or allegation of misconduct that, if proven,
18 would constitute a violation of the rules adopted by
19 the board to implement section 272.2, subsection 14,
20 paragraph "b", subparagraph (1), when the board or
21 reporting official has a good faith belief that the
22 incident occurred or the allegation is true. The
23 board may deny a license or revoke the license of an
24 administrator if the board finds by a preponderance
25 of the evidence that the administrator failed to
26 report the termination or resignation of a school
27 employee holding a license, certificate, statement of
28 professional recognition, or coaching authorization,
29 for reasons of alleged or actual misconduct, as defined
30 by this section

31 b. Information reported to the board in accordance
32 with this section is privileged and confidential, and
33 except as provided in section 272.13, is not subject to
34 discovery, subpoena, or other means of legal compulsion
35 for its release to a person other than the respondent
36 and the board and its employees and agents involved in
37 licensee discipline, and is not admissible in evidence
38 in a judicial or administrative proceeding other
39 than the proceeding involving licensee discipline.
40 The board shall review the information reported to
41 determine whether a complaint should be initiated. In
42 making that determination, the board shall consider the
43 factors enumerated in section 272.2, subsection 14,
44 paragraph "a".

45 c. For purposes of this section, unless the context
46 otherwise requires, "misconduct" means an action
47 disqualifying an applicant for a license or causing
48 the license of a person to be revoked or suspended
49 in accordance with the rules adopted by the board to
50 implement section 272.2, subsection 14, paragraph "b",

- 1 subparagraph (1).>
- 2 3. By renumbering as necessary.

ROBERT E. DVORSKY